

**SB 6371: AN ACT Relating to Dead Animal Disposal**  
*Effective June 7, 2006*

**Brief Overview of Agency Program:**

The Department of Agriculture's Animal Health program protects animals and the public from communicable animal diseases, such as brucellosis, tuberculosis, salmonella, rabies, avian influenza, and many others. To prevent animal diseases from entering Washington State, the program monitors the movement of animals across state lines by inspecting and examining animals, issuing or denying requested permits, and monitoring health certificates, which are required for all animals entering the state. Department veterinarians also conduct tests and inspections to detect introduced diseases and to eliminate select diseases.

The program is responsible for emergency management planning to ensure the state is prepared to trace back and control foreign or domestic animal diseases of concern. The program cooperates with universities, the U.S. Department of Agriculture and other research agencies to collect samples and data. This program has 10 FTEs and is funded by the state general fund and federal grants.

**Statement of Need:**

Proper disposal of dead animals is important to protecting human and animal health and the environment. Four agencies have a role in dead animal disposal: WSDA, through its animal health program; the State Board of Health and the Department of Health, through their environmental and public health programs; and the Department of Ecology through its waste management program.

Animal disposal issues came into the spotlight after the discovery of BSE, also known as mad cow disease, in a Washington dairy cow in December 2003. Also in 2003, revised federal rules for concentrated animal feeding operations, such as dairies and feedlots, added a new requirement, effective in 2006, that these operations' nutrient management plans include mortality management consistent with state and local requirements.

Although the methods generally approved for disposal of livestock mortalities in the U.S. include burial, incineration, composting or rendering, a review of Washington's statutes and rules revealed that they were inconsistent, out of date and did not include what are considered realistic, appropriate options for routine dead livestock disposal.

An interagency workgroup was convened by WSDA in 2004 to develop a coordinated strategy to revise emergency response plans, laws and rules as needed for both emergency and routine disposal of dead animals. Since then, legislation has amended the state's solid waste law to allow composting of cows and horses; the State Board of Health has begun the process of revising its dead animal disposal rule (WAC 246-203-120, last updated in 1965); and WSDA has developed this proposal to allow additional appropriate options for dead animal disposal.

Under the state's animal health law, WSDA can respond to an emergency using its authority to adopt rules to prevent the introduction or spread diseases affecting animals (RCW 16.36.040). However, Chapter 16.68 RCW limits routine disposal options to burial and rendering.

RCW 16.68, Disposal of Dead Animals, is administered by WSDA. Most of its provisions date from 1949. The statute focuses mainly on the sanitary collection and rendering of dead meat food animals (cattle, horses, swine, sheep and goats) that have not died on account of disease. It requires renderers and collectors to be licensed and establishes facility and operational requirements for licensees.

A single section of the statute deals with the disposal of animals that die from disease. This section requires that any animal that has died or been killed on account of disease must be immediately buried at least three feet deep. It also states that any animal found dead is presumed to have died from disease.

Current law is too restrictive and doesn't provide the options today's livestock producers need to appropriately deal with routine livestock death. SB 6371 is designed to correct this problem.

### **Major Provisions of SB 6371 / Impact on Current Law:**

#### **1. Allows for disposal options other than burial for diseased livestock. (Section 1)**

Several changes are made to RCW 16.68.020 to allow for appropriate, realistic routine disposal options for livestock producers that protect animal and human health and the environment.

- Replaces the term "animal" with "livestock," to more clearly and narrowly apply the section of law.
- Provides specific rulemaking authority for prescribing time frame and methods of disposal of livestock that die because of disease. Lists disposal methods that may be prescribed, including burial, composting, incinerating, landfilling, natural decomposition or rendering. Using rulemaking allows flexibility to respond to changing practices and technology.
- Clarifies that only livestock found dead from an unknown cause is presumed to have died because of disease.

#### **2. Recodifies RCW 16.68.020 in the Animal Health statute. (Section 2)**

This provision of the bill moves this section of law into the primary state statute dealing with animal health. This provides for consistent use of terms, such as livestock, and a more integrated animal health law. Livestock, as defined in RCW 16.36.005, means horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds, and other species so designated by statute. It does not mean free ranging wildlife as defined in Title 77 RCW.

**Fiscal Impact:** None

For more information, contact:

Mary Beth Lang, Assistant to the Director, (360) 902-1812  
Dr. Leonard Eldridge, State Veterinarian, (360) 902-1881